

employment in various trades. Apprenticeship programs for inmates will be established in those areas of the institution which have the potential to meet the requirements and standards of the Bureau of Apprenticeship and Training (BAT), U.S. Department of Labor.

**§ 544.55 Procedures for occupational education programs.**

(a) A specified portion of all occupational education programs is to consist of "live work."

(b) Duplication of services should be eliminated within the institution among training programs, other departments, and UNICOR.

**§ 544.56 Exploratory training.**

In addition to the occupational education programs listed in this rule, each Bureau of Prisons institution shall, where practicable, provide Exploratory Training to interested inmates. Exploratory Training is a study of occupations and industries for the purpose of providing the student with a general knowledge of the world of work, rather than specific skill development.

**Subpart G [Reserved]**

**Subpart H—Literacy Program**

SOURCE: 62 FR 50793, Sept. 26, 1997, unless otherwise noted.

**§ 544.70 Purpose and scope.**

Except as provided for in § 544.71, an inmate confined in a federal institution who does not have a verified General Educational Development (GED) credential or high school diploma is required to attend an adult literacy program for a minimum of 240 instructional hours or until a GED is achieved, whichever occurs first.

**§ 544.71 Exceptions to required literacy program participation.**

(a) The following inmates are not required to attend the literacy program:

(1) Pretrial inmates;

(2) Inmates committed for purpose of study and observation under the provisions of 18 U.S.C. 4205(c), 4241(d), or, ef-

fective November 1, 1987, 18 U.S.C. 3552(b);

(3) Sentenced deportable aliens;

(4) Inmates determined by staff to be temporarily unable to participate in the literacy program due to special circumstances beyond their control (e.g., due to a medical condition, transfer on writ, on a waiting list for initial placement). Such inmates, however, shall be required to participate when the special circumstances are no longer applicable.

(b) Inmates who have been determined (on the basis of formal diagnostic assessment) to have a documented emotional, mental, or physical individual impediment to learning shall not be required to complete the literacy program beyond those achievement levels indicated as realistic by the formal diagnostic assessment.

(c) Staff shall document in the inmate's education file the specific reasons for not requiring the inmate to participate in, or to complete, the literacy program.

**§ 544.72 Incentives.**

The Warden shall establish a system of incentives to encourage an inmate to obtain a GED credential.

**§ 544.73 Program participation.**

(a) The Warden or designee shall assign to an education staff member the responsibility to coordinate the institution's literacy program. Initially, staff shall meet with the inmate for the purpose of enrolling the inmate in the literacy program. Subsequently, staff shall formally interview each inmate involved in the literacy program when necessary for the purpose of determining a progress assignment. Staff shall place documentation of these interviews in the inmate's education file.

(b)(1) For the purposes of 18 U.S.C. 3624, an inmate subject to the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA) or the Prison Litigation Reform Act of 1995 (PLRA) shall be deemed to be making satisfactory progress toward earning a GED credential or high school diploma unless and until the inmate receives a progress assignment confirming that: